

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

NATIONAL FUEL GAS SUPPLY CORPORATION,

Plaintiff,

v.

**138 ACRES OF LAND IN THE VILLAGE OF
SPRINGVILLE, COUNTY OF ERIE, STATE OF
NEW YORK, MATHEW MAHL, ARDENT
RESOURCES, INC., U.S. ENERGY
DEVELOPMENT CORPORATION, ROBERT
DZARA, MARIA DZARA, and UNKNOWN OTHERS,**

Defendants.

99-CV-0602C(B)

**STIPULATION
OF DISMISSAL**

2006 SEP 12 AM 09:00

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WESTERN DISTRICT OF NEW YORK

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

ROBERT DZARA AND MARIA DZARA,

Plaintiffs,

v.

**U.S. ENERGY DEVELOPMENT CORPORATION,
NATIONAL FUEL GAS SUPPLY CORPORATION,**

Defendants.

99-CV-0603C(B) ✓

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

**MATTHEW J. MAHL
ELIZABETH A. MAHL
P.O. Box 663
St. James City, Florida 33956, et al.,**

Plaintiffs,

vs.

01-CV-704C(B)

**NATIONAL FUEL GAS SUPPLY CORPORATION
10 Lafayette Square
Buffalo, NY 14203,**

and

**U.S. ENERGY DEVELOPMENT CORPORATION
2350 North Forest Road
Getzville, New York 13068,**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the above-named parties, by and through their undersigned attorneys of record, being all parties who have appeared in this action, none of whom is an infant or incompetent or conservatee, and there being no person not a party who has an interest in the subject matter of this action, in accordance with the parties' Settlement Agreement, that the above-referenced actions shall be and are dismissed pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with prejudice and on the merits, each party to bear its own costs. This

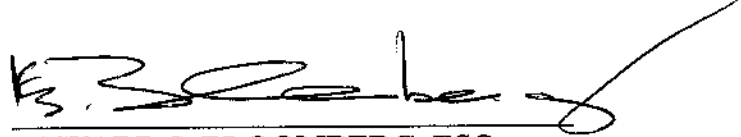
Stipulation may be filed with the Clerk of the Court by counsel for Robert Dzara and Maria

Dzara (the "Dzaras") and Matthew and Elizabeth Mahl (the "Mahls") without further notice.


DATED: Buffalo, New York
August 28 2006



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So Ordered
John T. Kolaga
9/1/06